

CUSTOMER NO.: 24498
Ser. No. 10/531,220
Office Action dated: 23 December 2008
Response dated: 06 April 2009

PATENT
PU020449

REMARKS/ARGUMENTS

The Applicant hereby petitions for a one-month extension of the period for response to the open Office communication. Please charge the fee for this extension to Deposit Account 07-0832. The Applicant submits that this response is therefore timely.

The Examiner has newly cited US 5,617,466 to Walance. Walance relates to a telephone line test set. Before the test set is permitted to be connected to a telephone line, the line is tested to make certain that there is no digital traffic on the telephone line, since a load on the telephone line will cause severe degradation of the digital signal. See column 1, lines 26 to 41, of Walance.

Referring to Figures 3 and 4 of Walance, a signal on telephone line 41, 42, is coupled through transformer 301 to cascaded amplifiers 330 and 340. See column 6, lines 51 to 54. The amplified signal is fed to terminal 403 of micro controller 100. Micro controller 100 measures the frequency of the signal to determine if the signal is a data signal. If the signal is a data signal, switch 80 is disabled, which disables the telephone line test set.

The Examiner has again relied upon Seidenberg of record. Seidenberg detects signal activity on a data bus. In response to the presence of signal activity on the data bus, Seidenberg connects a load to a voltage source. The Applicant submits that the cited references, taken either singly or in combination, do not affect the patentability of Claims 1-8.

A telephone line is not a data bus. A data bus is designed for digital data signals, whereas a telephone line is designed for voice signals, even though recent technology has enabled digital data to be transmitted on a telephone line. It is therefore clear that telephone lines and data buses are in non-analogous arts.

It is therefore clear that if the structure of Walance were to be combined with the structure of Seidenberg, as proposed by the Examiner, the result

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would be an aggregation of a switch for connecting a source to a load in response to detected data on a data bus, and a telephone line test set which is disabled in the presence of data traffic on a telephone line. The two parts of the aggregation would be independent, since the switch, for connecting a source to a load, becomes conductive in response to the presence of data on a data bus, whereas the telephone line test set is disabled in response to the presence of data on a telephone line.

Nowhere would the combination, proposed by the Examiner, of Seidenberg with Walance, show or suggest:

"a transformer having a first winding coupled to said data bus and a second winding coupled to a first switching transistor",

as specifically recited in Claim 1. Rather, the proposed combination would couple a transformer winding to a telephone line, not to a data bus. Furthermore, the proposed combination would not couple a transformer winding to a switching transistor, but rather to a bipolar transistor, such as transistor 332 or 342 of Walance. Note that the signal on output terminal 43 of Walance is the data on the telephone line (11, 12), not a switched signal. It is therefore clear that neither of transistors 332 and 342 of Walance is a switching transistor, as specifically recited in Claim 1.

It is therefore clear that:

- a) the combination proposed by the Examiner is an aggregation of a switch for connecting a source to a load in response to data detected on a data bus, and a telephone line test set; and
- b) such aggregation does not show or suggest the invention defined by Claim 1.

Claims 2-8 are dependent from Claim 1 and add further advantageous features. The Applicant submits that these subclaims are patentable as their parent Claim 1.

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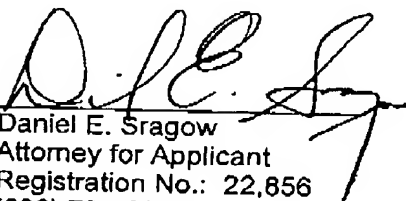
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The Applicant submits that the instant application is in condition for allowance. A notice to that effect is respectfully solicited.

Respectfully submitted,
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April 6, 2009
